

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: GRESSER ET AL. Examiner: UNKNOWN  
Serial No.: 10/645,964 Group Art Unit: UNKNOWN  
Filed: AUGUST 22, 2003 Docket: 13466.2USD1  
Title: BLOCKS AND BLOCK FORMING APPARATUS AND METHOD

**CERTIFICATE UNDER 37 CFR 1.8:**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: , Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 16, 2003.

By: Carla J. Maurer  
Name: CARA J. MAURER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**23552**

PATENT TRADEMARK OFFICE

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Other: Submission of Information Disclosure Statement with 3 cited references.
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.  
P.O. Box 2903, Minneapolis, MN 55402-0903  
612.332.5300

By: Karen A. Fitzsimmons  
Name: Karen A. Fitzsimmons  
Reg. No.: 50,470  
KFitzsimmons:cjm



N 10/645,964

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	GRESSER ET AL.	Examiner:	UNKNOWN
Serial No.:	10/645,964	Group Art Unit:	UNKNOWN
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By: Carla J. Mauch  
Name: CARLA J. MAUCH

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted within three months of the filing date of the above-identified application, which is not an application under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. § 1.98(a)(2) and § 1.98(d), copies have been provided only for those items listed on the enclosed Form 1449 that have not previously been cited by or submitted to the U.S. Patent and Trademark Office in parent application, U.S. Serial No. 09/788,836 filed on February 20, 2001.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

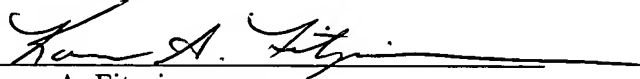
Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

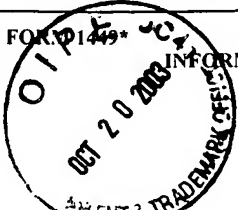


Date: Oct. 15, 2003

Respectfully submitted,

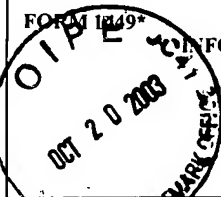
MERCHANT & GOULD P.C.  
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Karen A. Fitzsimmons  
Reg. No. 50,470  
KAF:cjm

 <p><b>INFORMATION DISCLOSURE STATEMENT</b></p> <p><b>IN AN APPLICATION</b></p> <p>(Use several sheets if necessary)</p>	Docket Number: 13466.2USD1	Application Number: 10/645,964
	Applicant: GRESSER ET AL.	
	Filing Date: AUGUST 22, 2003	Group Art Unit: UNKNOWN

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	770,677	09/1904	Cuatt			
	776,137	11/1904	Jackson			
	788,955	05/1905	Shone			
	795,900	08/1905	Doughty			
	1,332,246	03/1920	Coates			
	1,581,797	04/1926	Fey			
	1,584,920	05/1926	Flint et al.			
	2,121,450	09/1938	Sentrop			
	2,953,469	09/20/1960	Fox			
	3,058,164	10/16/1962	Rowe			
	3,546,052	12/08/1970	McNamara			
	3,966,166	06/29/1976	Elliott			
	4,043,826	08/23/1977	Hum			
	4,070,849	01/31/1978	DiGiacomo			
	4,197,684	04/15/1980	Johnson			
	4,331,734	05/25/1982	Stegmeier			
	4,490,075	12/25/1984	Risi et al.			
	Des. 280,024	08/06/1985	Risi et al.			
	4,500,275	02/1985	Ruhl, Edward A.			
	4,815,897	03/28/1989	Risi et al.			
	4,819,874	04/11/1989	Geiger			
	4,847,026	07/11/1989	Jarboe et al.			
	4,909,010	03/20/1990	Gravier			
	4,960,622	10/02/1990	Jarboe et al.			
	5,273,251	12/1993	Badstieber, Johann			
	5,406,054	04/11/1995	Chirdon			

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	


 <b>FORM 1449*</b> <b>INFORMATION DISCLOSURE STATEMENT</b> <b>IN AN APPLICATION</b> (Use several sheets if necessary)	Docket Number: 13466.2USD1	Application Number: 10/645,964
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U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,435,949	07/25/1995	Hwang			
	5,484,236	01/16/1996	Gravier			
	5,487,526	01/30/1996	Hupp			
	Des. 370,272	05/28/1996	Risi et al.			
	5,622,456	04/22/1997	Risi et al.			
	5,623,797	04/29/1997	Gravier et al.			
	5,637,236	06/10/1997	Lowe			
	5,667,200	09/1997	Kelley, Jr., Michael L.			
	5,817,248	10/1998	Forlini, Emidio J.			
	Des. 411,315	06/22/1999	Bott			
	5,935,317	08/10/1999	Soroshian et al.			
	5,937,601	08/17/1999	McDonald			
	5,943,234	08/24/1999	Martinez et al.			
	6,000,183	12/14/1999	Newman			
	6,032,488	03/07/2000	Deruyter et al.			
	6,035,583	03/14/2000	Papke			
	6,082,067	07/04/2000	Bott			
	6,620,364	09/16/2003	Gresser et al.			
	6,557,818	05/06/2003	Manthci			
	2001/0019684 A1	09/06/2001	Manthei et al.			

FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	CA 1210249	08/26/1986	Canada				
	FR 2220990 A	11/1974	France				


OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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	National Concrete Masonry Assn., "Segmental Retaining Walls", Herndon, VA, 2nd Edition (date unknown)
	Cleco Mfg. brochure, Wallingford, CT, 2 pages (date unknown)
	International Pipe Machinery Corp. brochure, Quinn Wet Cast Septic Tank Form, 1 page (date unknown)
	Spillman; Columbus, Ohio, brochure, 2 pages (date unknown)
	Elk River Machine Co., Photographs of Retaining Walls, entitled "Retaining Wall Form", 4 pages (date unknown)
	Rempel Bros. of Canada brochure, 1 page (1999)
	Rempel Bros. Concrete Ltd., <a href="http://www.rempelbros.com/what's_new/content/mainb.htm">http://www.rempelbros.com/what's_new/content/mainb.htm</a> , 1 page (2000)
	Armcon Ltd. brochure, LocBloc™ Retaining Wall Block, <a href="http://www.armcon.com/frames.html">http://www.armcon.com/frames.html</a> , 1 page, (2001)
	Allan Block brochure, 1 page, and photos, (1994)
	Concrete Gabions brochure, 2 pages (date unknown)
	Lok Blok Retaining Systems, <a href="http://www.lokblok.co.za/">http://www.lokblok.co.za/</a> , 1 page (2001)
	Loffelstein® brochure, 2 pages (1989)
	American Redi-Bloc™ brochure, 2 pages (2000)
	Risi Stone Systems brochure, 2 pages (1994)
	Unilock brochure, <a href="http://www.unilock.com/walls/index.html">http://www.unilock.com/walls/index.html</a> , 2 pages (2001)
	PISA II Retaining Wall System, <a href="http://www.risistone.com/systems/p2/frames/p2ctxt.htm">http://www.risistone.com/systems/p2/frames/p2ctxt.htm</a> , 5 pages (2001)
	United Lock-Block™ Ltd., <a href="http://www.unitedlockblock.com/products.htm">http://www.unitedlockblock.com/products.htm</a> , 2 pages (2000)
	OCTA BLOC™ Precast Block Systems & Materials, <a href="http://www.rempelbros.com/products&amp;services/content/precast.htm">http://www.rempelbros.com/products&amp;services/content/precast.htm</a> , 2 pages (2000)
	Cleco Mfg., Inc. MCX 2000 Showguide, 2 pages (2000)
	Del Zotto Products, Incorporated advertisement, <i>The Concrete Producer</i> , p. 63 (2000)
	Octa Bloc™ Presentation to Cemstone by Rempel Bros. Concrete Ltd., Orlando FL, 39 pgs (2000)
	Anchor Wall Systems brochure, 2 pages, (1993)
	Reinforced Earth® brochure, 4 pages (1995)
	Interlock Concrete Products Inc. brochure, 3 pages (1994)
	American Redi-Bloc Mfg.; <a href="http://www.americanredibloc.com/Manufacturing/Manufacturing.htm">http://www.americanredibloc.com/Manufacturing/Manufacturing.htm</a> , 1 page (2000)
	American Redi-Bloc Specifications, <a href="http://www.americanredibloc.com/Specifications/Specifications.htm">http://www.americanredibloc.com/Specifications/Specifications.htm</a> , 1 page (2000)
	American Redi-Bloc Block Styles, <a href="http://www.americanredibloc.com/BlocStyles/Bloc_Styles.htm">http://www.americanredibloc.com/BlocStyles/Bloc_Styles.htm</a> , 2 pages (2000)
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>	

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		American Redi-Bloc Wall Pictures, <a href="http://www.americanredibloc.com/WallPictures/Wall_Pictures.htm">http://www.americanredibloc.com/WallPictures/Wall_Pictures.htm</a> , 2 pages (2000)
		American Redi-Bloc Installation, <a href="http://www.americanredibloc.com/Installation/Installation.htm">http://www.americanredibloc.com/Installation/Installation.htm</a> , 1 page (2000)
		American Redi-Bloc Engineering, <a href="http://www.americanredibloc.com/Engineering/Engineering.htm">http://www.americanredibloc.com/Engineering/Engineering.htm</a> , 3 pages (2000)
		American Redi-Bloc Uses, <a href="http://www.americanredibloc.com/Uses/Uses.htm">http://www.americanredibloc.com/Uses/Uses.htm</a> , 2 pages (2000)
		Design Pro "TerraCrete™" Landscape Block Form System brochure, 1 page (date unknown)
		Actual Drawing, The Neel Company, "T-Wall Form Liner Adapter" (1996)
		Actual Drawing, Spillman Company, "Beam Forms", (1986)
		Video Tape "Transform Concrete Into A New Profit Center", (copyright 2000)
		Avon Manufacturing Company, Inc., "Speed-Strip Septic Tank Molds", sales brochure, dated February 19, 1964.
	Exhibit A	Disclosure of "Reduced Weight Slip Cast Concrete Retaining Wall Block" provided to applicant by Redi-Rock International; 9 pages; (known to Applicant as of October 15, 2001).
	Exhibit B	Roll-Away Form brochure, Redi-Rock International; and Rollaway Purchase Agreement, Redi-Rock International; 2 pages; (Purchase Agreement dated February 6, 2001)

**23552**

PATENT TRADEMARK OFFICE

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